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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/764,500	01/27/2004	David A. Matthews	MFCP.110232

Scott B. Strohm  
 Shook, Hardy & Bacon, LLP  
 2555 Grand Boulevard  
 Kansas City, MO 64108

CONFIRMATION NO. 6265

## FORMALITIES LETTER



\*OC000000012936166\*

Date Mailed: 06/14/2004

Response Due 8/14/04

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/16/2004 GWORDOF1 00000072 192112 10764500 FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 DA  
 02 FC:1201 172.00 DA  
 03 FC:1202 234.00 DA  
 04 FC:1051 130.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$406 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1306 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

RECEIVED BY SHB

JUN 17 2004

MS# 304649.01  
 MFC P110232

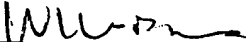
- Total additional claim fee(s) for this application is **\$406**

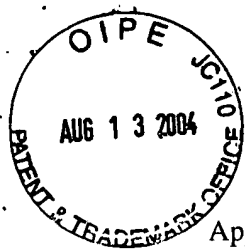
- **\$172** for 2 independent claims over 3.
- **\$234** for 13 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/764,500  
Applicant : David A. Matthews, *et al.*  
Filed : January 27, 2004  
Group Art Unit: 2153  
Examiner : Not yet assigned

Confirmation No. 6265

Docket No. : MFCP.110232  
Customer No. : 45809

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION**

Dear Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(f) dated June 14, 2004, attached please find:

- ☒ A combined Declaration and Power of Attorney signed by the inventors and the surcharge of \$130.00 as set forth in 37 C.F.R. § 1.16(e).

The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	33 - 20 =	13	x \$18.00	\$234.00
INDEPENDENT CLAIMS	5 - 3 =	2	x \$86.00	\$172.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$0
			BASIC FEE	\$770.00
			TOTAL OF ABOVE CALCULATIONS =	\$1,176.00
Reduction by 1/2 for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28). If applicable, verified statement must be attached.				\$0
SURCHARGE FOR FILING MISSING PARTS				\$130.00
ASSIGNMENT RECORDATION FEE				\$40.00
			TOTAL =	\$1,346.00

Appl. No. 10/764,500

Response dated August 13, 2004


Reply to Not. to File Missing Parts of June 14, 2004

- ☒ Charge \$1,346.00 to **Deposit Account No. 19-2112** referencing Attorney Docket No. MFCP.110232. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 19-2112** referencing Attorney Docket No. MFCP.110232.

Respectfully submitted,


Dated: August 13, 2004

By:

  
Kerry H. Owens  
Registration No. 37,412

SHOOK, HARDY & BACON L.L.P.  
2555 Grand Boulevard  
Kansas City, Missouri 64108  
Phone (816) 474-6550  
Fax (816) 421-5547

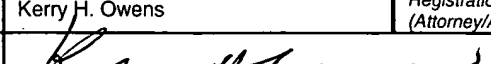
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

 <h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">FOR FY 2004</h2> <p style="font-size: small;">Patent fees are subject to annual revision.</p>		<b>Complete if Known</b>		
		Application Number	10/764,500	
		Filing Date	January 27, 2004	
		First Named Inventor	David A. MATTHEWS, et al.	
		Examiner Name	Not yet assigned	
		Group Art Unit	2153	
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>\$1,346.00</b>	Attorney Docket No.	MFCP.110232

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																																						
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: <u>19-2112</u></p> <p>Deposit Account Name: <u>Shook, Hardy &amp; Bacon LLP</u></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>																																																																																																																																																																																																																																																																																																							
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EXTRA CLAIM FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Total Claims</th> <th>33</th> <th>-20** =</th> <th>13</th> <th>x</th> <th>Fee from below</th> <th>=</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>5</td> <td>-3** =</td> <td>2</td> <td>x</td> <td>\$86</td> <td>=</td> <td>\$172.00</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>=</td> <td>\$0</td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>18</td> <td>2202</td> <td>9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>1201</td> <td>86</td> <td>2201</td> <td>43</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>1203</td> <td>290</td> <td>2203</td> <td>145</td> <td>Multiple dependent claims, if not paid</td> <td></td> </tr> <tr> <td>1204</td> <td>86</td> <td>2204</td> <td>43</td> <td>**Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>1205</td> <td>18</td> <td>2205</td> <td>9</td> <td>**Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (2)</b></td> <td><b>\$406.00</b></td> </tr> </tbody> </table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1001	770	2001	385	Utility filing fee	<u>\$770</u>	1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		<b>SUBTOTAL (1)</b>					<b>\$770.00</b>	Total Claims	33	-20** =	13	x	Fee from below	=	Fee Paid	Independent Claims	5	-3** =	2	x	\$86	=	\$172.00	Multiple Dependent						=	\$0	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	86	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple dependent claims, if not paid		1204	86	2204	43	**Reissue independent claims over original patent		1205	18	2205	9	**Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>					<b>\$406.00</b>	<p><b>3. 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late filing fee or oath	<u>\$130</u>	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	122	130	Petitions of the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Statement		8021	40	8021	40	Recording each patent assignment per properties (times number of properties)	<u>\$40</u>	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____						<b>SUBTOTAL (3)</b>					<b>\$170.00</b>
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1401	330	2401	165	Notice of Appeal																																																																																																																																																																																																																																																																																																			
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																																			
1403	290	2403	145	Request for oral hearing																																																																																																																																																																																																																																																																																																			
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																																			
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																																																																			
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																																																																																																																																																																			
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																																			
1502	480	2502	240	Design issue fee																																																																																																																																																																																																																																																																																																			
1503	640	2503	320	Plant issue fee																																																																																																																																																																																																																																																																																																			
1460	130	122	130	Petitions of the Commissioner																																																																																																																																																																																																																																																																																																			
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																																																																																																																																																			
1806	180	1806	180	Submission of Information Disclosure Statement																																																																																																																																																																																																																																																																																																			
8021	40	8021	40	Recording each patent assignment per properties (times number of properties)	<u>\$40</u>																																																																																																																																																																																																																																																																																																		
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																																																																																																																			
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																																																																																																																			
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																																																																																																																																																			
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																																																																																																																																			
Other fee (specify) _____																																																																																																																																																																																																																																																																																																							
<b>SUBTOTAL (3)</b>					<b>\$170.00</b>																																																																																																																																																																																																																																																																																																		

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Kerry H. Owens	Registration No. (Attorney/Agent)	37,412	Telephone	(202) 783-8400
Signature				Date	August 13, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.